

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

ACTIVISION TV, INC.,

Plaintiff,

and

**MPHJ TECHNOLOGY
INVESTMENTS, LLC,**

Plaintiff-Intervenor,

v.

**JON BRUNING, Attorney General of
Nebraska (in his official capacity);
DAVID D. COOKSON, Chief Deputy
Attorney General of Nebraska (in his
official capacity); DAVID A. LOPEZ,
Assistant Attorney General of
Nebraska (in his official capacity),**

Defendants.

Case No. 8:13CV00215

**NOTICE OF INTERLOCUTORY
APPEAL**

Notice is given that Jon Bruning, David D. Cookson, and David A. Lopez, Defendants in the above-captioned case, hereby appeal to the United States Court of Appeals for the Eighth Circuit from the District Court's orders of January 14, 2014 (Filing 111), granting Plaintiff-Intervenor's motions for preliminary injunction, and April 4, 2014 (Filing 177), denying Defendants' motion for reconsideration. The District Court's order of January 14, 2014 (Filing 111) incorporates portions of the District Court's order on September 30, 2013 (Filing 41) overruling Defendants' objections to Plaintiff's evidence.

Respectfully submitted this 2nd day of May, 2014.

**JON BRUNING, DAVID D.
COOKSON, and DAVID A. LOPEZ,
Defendants.**

By: JON C. BRUNING, #20351
Attorney General

By: s/ Ryan S. Post
Ryan S. Post, NE #24714
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Attorneys for Defendants Jon Bruning,
David D. Cookson, and David A. Lopez.

CERTIFICATE OF SERVICE

I hereby certify that on May 2, 2014, the foregoing document was filed with the Clerk of the U.S. District Court for the District of Nebraska using the CM/ECF system, causing notice of such filing to be served on Plaintiff-Intervenor's counsel of record.

By: *s/ Ryan S. Post*
Ryan S. Post, NE #24714
Assistant Attorney General